

April 23, 1953

Dear Dr. Bernstein:

This is to acknowledge your letter of the 16th, and its enclosures. I am forwarding them to the Graduate School with every expectation of their acceptance. The only serious problem remaining concerns your admittance to the United States.

After having studied the mimeographed form you forwarded to me from the American Consulate, I am still in doubt whether condition II (evidence of employment contract) is sufficient, or must be bolstered by a certification from your sponsor guaranteeing your support, (condition III). I hope that II is sufficient, for I cannot see that the University or myself would be legally well qualified to make such an undertaking, however much of a formality it must seem. Your last letter indicated that you might make some visits on your way to Madison. Would you be able to obtain such an affidavit from this or other sources, if this should prove obligatory?

Another very serious consideration has arisen during the past few days. I had forgotten entirely about the operation of our draft laws-- in particular the special selective service system for physicians. I discussed the details, over the phone, with a Major Sheppard at the State Selective Service HQ, and get the following picture. Under present law, you would be required to register (unless you were a "temporary resident alien", which would be precluded by an Immigration Visa) and might be liable to selection. Through an oversight this law does not recognize service in co-belligerent forces (i.e. RAMC) as a basis for deferment, but an administrative order is in force to the same effect pending the renewal and revision of the law, now before Congress. Major Sheppard could see no possibility of your selection under presently foreseeable circumstances. At the worst, a change in the administration of the law would expose you to the risk of giving up a permanent visa, and applying to remain to complete your work on a temporary visa, renewable at 6-month intervals. The revised law, now before Congress, and approved by committees of both houses, provides for the deferment of physicians who have had substantial postwar military service (like yourself), whether in the US or in an allied force. Physicians in this category (Priority IV) are not liable to selection until all other qualified registrants have been inducted. The law is not designed to trap foreign visitors, and selections are made by local boards which have been, in the past, quite considerate of the special needs of visiting students.

All this indicates a possible disadvantage (the fuss, not the actual likelihood of actual induction) of a permanent, as against a temporary (student or exchange visitor) visa. Major Sheppard pointed out, however, that your liability to registration depends primarily on the actual duration of your residence. So long as you are officially on leave from your MRC position in England, it is difficult to see how you could be construed as any but a temporary resident,

I mention all this only to forestall a later surprise. I doubt that the local consulate can give you much detailed information; ~~if I can~~, I will see what I can find out if you have any other questions. Dean Elvejhem has indicated that he will forward a certification from the University. If this is inadequate under condition II, or if III is also required, it might be preferable for you to apply for a student visa instead.

Yours sincerely,

Joshua Lederberg